

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 07-69-GMS
	:	
JAMON SIMMONS,	:	
	:	
Defendant.	:	

DEFENDANT'S UNOPPOSED MOTION FOR CONTINUANCE
OF SENTENCING HEARING

Defendant, Jamon Simmons, by and through his undersigned counsel, Keir Bradford, Assistant Federal Public Defender, hereby moves this Court for an Order continuing the Sentencing Hearing in this case.

In support of this motion, Mr. Simmons avers as follows:

1. On or about October 11, 2007, Mr. Simmons appeared before this Court and plead guilty to one count of possession of a firearm, after having been convicted on or about October 3, 2000, of a crime punishable by imprisonment for a term exceeding one year, in violation of 18 U.S.C. §§ 922(g)(1) & 924(a)(2). Sentencing is currently set for January 10, 2008.

2. Mr. Simmons is requesting a postponement of the Sentencing Hearing because defense counsel is awaiting the medical records as proof of Jamon Simmons' history of Mental Illness. As a teenager, Mr. Simmons was committed and treated at several state hospitals for suicidal ideations. Those locations include: the New Jersey State Hospital, Cherry Hill; Our Lady of Lourdes Hospital, Camden; and West New Jersey State Hospital in Camden.

Orders for Mr. Simmons records have been sent to the above locations by United States Probation Officer, Jean Lubinsky, who advised Counsel that the records have not been received as of December 11, 2007.

3. Counsel believes the information contained in these records will be germane to support the defense's efforts at sentencing mitigation.

4. In addition, Counsel just received the Presentence Report on December 11, 2007 and has not yet had an opportunity to review it with Mr. Simmons

5. Neither the government nor the probation office objects to Mr. Simmons' request for a postponement.

6. Accordingly, defendant believes that, in the interests of justice, a postponement of the Sentencing Hearing is warranted.

WHEREFORE, the Defendant, Jamon Simmons, respectfully requests that this Court issue an Order postponing the Sentencing Hearing for at least 60 days.

Respectfully submitted,

/s/
Keir Bradford, Esquire
Assistant Federal Public Defender

Attorney for Jamon Simmons

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Dated: December 12, 2007

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JAMON SIMMONS,	:	
	:	
Defendant.	:	

ORDER

In response to Defendant's Unopposed Motion for Continuance of Sentencing, this Court
HEREBY ORDERS on this _____ day of _____, 2007, that Defendant's
sentencing hearing is rescheduled for the _____ day of _____, 2008 at _____
a.m./p.m.

HONORABLE GREGORY M. SLEET
Chief Judge, United States District Court